IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

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WRIT PETITION NO : 2282 of 2005

Between:

1. V.Jayaraman, S/o.Late P.R.V.Nathan,
   R/o.66, Hastinapuri Colony, Sainikpuri, Secunderabad.
2. Nanda Gopal, S/o.G.V.Rajasekhar Rao,
   R/o.plot No.75-76 B
3. Hastinapuri Co-operative Housing Society Ltd., Society

Registered APC under Society Act, (APCS -Act)
Having its office at plot No.103, Hastinapuri Colony, Sainikpuri,

Secunderabad. rep.by its Secretary, Mr.N.V.Ranga Rao.

.... PETITIONERS

AND

1. The State of Andhra Pradesh through Secretary Municipal

Administration Government of Andhra Pradesh
Secretarait Building, Hyderabad.
2. The Commissioner Kapra Municipality, Kapra Ranga Reddy

District.
3. V.Prabhakar Rao, S/o.V.v.Subba Rao,
   R/o.plot No.109, Keemti Colony, Tarnaka Secunderabad.
4. V.V.A.V.prasad, S/o.V.V.Subba Rao,
   R/o.plot No.109, Keemti Colony, Tarnaka Secunderabad.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction, more particularly, one in the nature of writ of Mandamus, declaring the action of the Respondents No.1 and 2 in not acting on the complaints filed by the petitioners are bad, illegal and violation of the rights guarantee under the constitution, and consequently direct the respondent NO.2 to act upon the complaints and to take appropriate action against the Respondent No.3 and 4 for legal and unauthorised construction taken up by them at plot NO.63, Sainikpuri, Secunderabad.

Counsel for the Petitioner: MRP.V.SANJEEVA RAO

Counsel for the Respondents: GP FOR MUNCIPAL ADMN. & URBAN DEV.

The Court made the following:

ORDER:

This Writ Petition is filed aggrieved by the inaction on the part of the respondents 1 and 2 in taking the necessary action against the respondents 3 and 4, who are alleged to have been proceeding with the illegal and unauthorized construction in Plot No.63 situate at Sainikpuri, Secunderabad.

The petitioners state that though the third petitioner society has made a detailed representation as long back as on 25.10.2004 which was received in the office of the second respondent on 02.11.2004, no action has been taken by the respondents 1 and 2, so far. Hence, this Writ Petition.

Having heard the learned counsel for the petitioners and the learned standing counsel appearing for the second respondent without expressing any opinion with regard to the correctness of the allegations made by the petitioners, I deem it appropriate to dispose of the Writ Petition with a direction to the second respondent-municipality to consider the representation made by the petitioners, dated 25.10.2004, and to take appropriate action in accordance with law, after affording due opportunity to the respondents 3 and 4 to explain the allegations made by the petitioners. It is made clear that such exercise shall be completed within a period of four weeks from the date of receipt of this order.

Accordingly, the Writ Petition is disposed of. No costs.

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14-02-2005

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To

1. The State of Andhra Pradesh through Secretary Municipal

Administration Government of Andhra Pradesh
Secretarait Building, Hyderabad.
2. The Commissioner Kapra Municipality, Kapra Ranga Reddy

District.
3. 2 CCs to G.P for Municipal Adminstration and Urban Development, High Court Buildings, Hyderabad (OUT)

3. 2 CD copies